GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Agriculture& Cooperation Department – Horticulture – Implementation of the Orders dt:13.11.2019 in the W.P.No.13687 of 2019 of the Hon'ble High Court of Andhra Pradesh – Permission Accorded - Orders - Issued.

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AGRICULTURE & COOPERATION (H&S) DEPARTMENT

G.O.MS.No. 51 Dated: 17-09-2025

Read the following:

1. G.O.Ms.No.212, Finance & Planning (FW.PC.III) Department, dated.22.04.1994.
2. G.O.Rt.No.443, Agri. & Co-op. Department, dated.30.05.1996.
3. Orders dt:13.04.2016 of the Hon'ble A.P. State Administrative Tribunal in O.A.No.1957 of 2014.
4. Orders dt:13.11.2019 in the W.P.No.13687 of 2019 of the Hon'ble High Court of Andhra Pradesh.
5. From the Director of Horticulture, A.P., Guntur, Lr.No.Estt.II (1)367/2013, dt.29.01.2020 & 30.08.2024.

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ORDER :

In the Government Order second read above, orders were issued to Director of Horticulture, A.P., Guntur to regularise the services of Sri.J.Chandra, as typist on daily wages in the O/o ADH, Kadapa from the date of issue of the orders i.e with prospective effect as he is qualified to hold the post of Typist and fulfill all the conditions stipulated in reference 1st read above. Accordingly, he has joined as Typist on 31.05.1996.

2. In the reference 3rd read above, the Hon'ble A.P. State Administrative Tribunal has passed the orders dated:13.04.2019 in O.A.No.1957 of 2014. The operative portion of the judgment/orders is re - produced below for perusal.

> " 9. Having regard to the facts and circumstances of the case and as the applicant has completed five years of service before the cutoff date 25.11.1993 and as there is a regular clear vacancy of Typist post, he is entitled for regularization of his services from the date of completion of five years. In view of the same, the impugned orders issued in Memo No.11925/Horti/A1/2013, dated.15.01.2014 of the 1st respondent are liable to be set aside and are hereby set aside and the respondents are directed to consider and regularize the services of the applicant on completion of five years of service as Typist i.e.01.09.1991 and pass appropriate orders, within a period of two months from the date of receipt of copy of this Order.
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> 10. The Original Application is disposed of accordingly."

3. Later, the petitioner in O.A.No.1957 of 2014 has filed W.P.No.13687 of 2019. The Hon'ble High Court of A.P., Amaravathi has passed the orders dated:13.11.2019 in W.P.No.13687 of 2019. The operative portion of the judgment/orders is re - produced below for perusal.

"…… After hearing the learned counsel for both the parties, in our considered opinion, it is suffice to direct that the order in O.A.No.1957 of 2014 be now complied with by the respondents within a period of two months from the date of communication of this order.

With the above direction, the Writ Petition is disposed of. As a sequel, all the pending Miscellaneous Applications shall stand closed. No costs ".

4. In the reference 5th read above, the Director of Horticulture & Sericulture, A.P., Guntur has stated that, as aggrieved by the orders dated:13.04.2019 of APAT in O.A.No.1957 of 2014, the respondents have approached Hon'ble High Court W.P.No.39226 of 2016 and prayed that to vacate the orders of the Hon'ble APAT as the applicant not entitled for the benefits and pass such order or orders as deemed fit in the circumstances of the case. The Hon'ble High Court have passed the common order in W.P.No.33936 of 2011 and batch cases on 02.05.2018.

" Directing the authorities concerned to extend the benefit of B. Srinivasulu to the employees in this batch of cases by reckoning their services from the date of completion of five (5) years in service. On or before 25.11.1993, for the purposes of their pension and pensionery benefits. They shall however not the entitled to actual monitory benefits for the said period, in the form of arrears of pay or allowance.

Pending miscellaneous petitions, if any shall also stand closed no orders has cost."

5. The Director of Horticulture & Sericulture, A.P., Guntur, has filed the SLP (C) No.12520/2020 before Hon'ble Supreme Court of India, New Delhi against the orders of the Hon'ble A.P Administrative tribunal, Hyderabad & the High Court of Andhra Pradesh and the same was dismissed by the Hon'ble Supreme Court of India in SLP No.13813 of 2018 and batch cases orders, dt:23.07.2024.

6. Therefore, the Director of Horticulture & Sericulture, A.P., Guntur has requested to issue necessary orders for regularization of services in respect of Sri J.Chandra, Administrative Officer from the date of completion of 5 years as Typist w.e.f. 01.09.1991 as per the orders of the Hon'ble Supreme Court of India and Hon'ble APAT.

7. After careful examination of the matter, Government hereby accord permission to the Director of Horticulture & Sericulture, A.P., Guntur to comply the orders dated:13.11.2019 of the Hon'ble High Court in W.P.No.13687 of 2019, to regularize the services of the petitioner Sri J.Chandra from the date of their completion of five years of service as Typist on 01.09.1991 retrospectively for extending pension and pensionary benefits only, without re-fixation of pay subject to review/appeal, if any in future and it is subject to the condition that retrospective regularization is only for pension and pensionary purposes and does not involve arrears of pay or allowances, thus limiting fiscal implications.

8. This shall not be treated as a precedent and is strictly in compliance of the orders of the Hon'ble Court in this matter.

9. The Director of Horticulture & Sericulture, Andhra Pradesh, Guntur shall take necessary action in the matter, accordingly.

10. This order issues with the concurrence of Finance Department vide their U.O.No. FIN01-38027/217/2018-HR-I, (C.No:607349), dt:03.09.2025.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B. RAJSEKHAR
EX-OFFICIO SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Director of Horticulture & Sericulture, A.P., Guntur.
The individual concerned through the DoH&S, A.P., Guntur.
The Director of State Audit Department, Andhra Pradesh.
The Finance (HR.I–Plg,& Policy) Department.

Copy to:

The Director of Treasuries & Accounts, Managalagiri, Guntur District.
The Director Works and Accounts, A.P., Mangalagiri, Guntur District
The Pay & Accounts Officer, A.P., Mangalagiri, Guntur District.
The Accountant General, A.P., Vijayawada.
The P.A to Hon'ble Minister (Agrl.& Coop)
The P.S to Ex-Officio Special Chief Secretary to Government
Agriculture & Cooperation Department.
The P.S to Principal Finance Secretary to Government
Finance Department, A.P Secretariat.
The Finance (HR.I) Department, A.P Secretariat.
The Government Pleader for Services-II, A.P.High Court Buildings, Nelapadu.
SF/SC.

// FORWARDED BY ORDER //

SECTION OFFICER